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February 23, 2011

Ms. Marlene H. Dortch, Secretary
Federal Communications Commission
Office of the Secretary
445 12th Street, SW
Washington, DC 20554

Ex Parte

Re: Notice of Ex Parte Communication: Implementation of Section 224 of the Act, WC Docket No. 07-245; A National Broadband Plan for Our Future, GN Docket No. 09-51

Dear Ms. Dortch:

Please accept this letter as notification, pursuant to Section 1.1206 of the Federal Communications Commission's ("FCC") Rules, that on February 23, 2011, Andy Russell of Duke Energy, Thomas Kennedy and Tom Orvald of Florida Power & Light, Scott Freeburn of Progress Energy, Karl Moor of Southern Company, Holly Henderson of SouthernLINC Wireless (an affiliate of Southern Company), Tom St. Pierre of American Electric Power, and Sean Cunningham and Mark Menezes of Hunton & Williams LLP met separately with (1) Zac Katz, Legal Advisor for Wireline Communications, International & Internet Issues to Chairman Genachowski; Christi Shewman, Office of General Counsel, Attorney Advisor; Jeremy Miller, Wireline Competition Bureau, Industry Analysis & Technology Division, Deputy Division Chief; and Marcus Maher, Wireline Competition Bureau, Pricing Policy Division, Associate Bureau Chief; (2) Angela Kronenberg, Wireline Legal Advisor to Commissioner Clyburn; (3) Office of General Counsel staff: Austin Schlick, General Counsel; Julie Veach, Deputy General Counsel; Diane Griffin Holland, Administrative Law Division, Assistant General Counsel; Raelynn Remy, Attorney Advisor; Sonja Rifken, Attorney Advisor; and Marv Sacks, Wireline Competition Bureau, Pricing Policy Division; and (4) Wireline Competition Bureau staff: Jonathan Reel, Wes Platt, Claude Aiken, and Bill Dever of the Competition Policy Division; and Al Lewis, Division Chief, and Marv Sacks of the Pricing Policy Division.

During these meetings, the parties discussed the FCC's Further Notice of Proposed Rulemaking ("FNPRM")¹ on pole attachments. More specifically, the parties discussed pole

¹ Implementation of Section 224 of the Act; A National Broadband Plan for Our Future, 75 Fed. Reg. 41,338 (July 15, 2010) (to be codified at 47 C.F.R. pt. 1).

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attachment rates and access issues, consistent with their comments on the record in these proceedings. This notice has been filed in accordance with Section 1.1206(b) of the FCC's Rules, and one electronic copy of this notice is being filed in the above-referenced dockets.

Please do not hesitate to contact the undersigned if you have any questions.

Respectfully submitted,

/s/Sean B. Cunningham
Sean B. Cunningham

cc: Zac Katz (via electronic mail)
Christi Shewman (via electronic mail)
Jeremy Miller (via electronic mail)
Marcus Maher (via electronic mail)
Angela Kronenberg (via electronic mail)
Austin Schlick (via electronic mail)
Julie Veach (via electronic mail)
Diane Griffin Holland (via electronic mail)
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